

HANSON BRIDGETT LLP  
RAYMOND F. LYNCH, SBN 119065  
rlynch@hansonbridgett.com  
MATTHEW J. PECK, SBN 287934  
mpeck@hansonbridgett.com  
425 Market Street, 26th Floor  
San Francisco, California 94105  
Telephone: (415) 777-3200  
Facsimile: (415) 541-9366

Attorneys for Board of Retirement of the Imperial  
County Employees' Retirement System

ARNOLD & PORTER KAYE SCHOLER LLP  
GILBERT R. SEROTA (No. 75305)  
gilbert.serota@apks.com  
AMY V. ENDICOTT (No. 281298)  
amy.endicott@apks.com  
ALISON C. EPSTEIN (No. 311081)  
alison.epstein@apks.com  
Three Embarcadero Center, 10th Floor  
San Francisco, CA 94111-4024  
Telephone: 415.471.3100  
Facsimile: 415.471.3400

Attorneys for Defendants  
*Franklin Templeton Investor Services, LLC,*  
*Franklin/Templeton Distributors, Inc., and*  
*Templeton Institutional Funds*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

BOARD OF RETIREMENT OF THE  
IMPERIAL COUNTY EMPLOYEES'  
RETIREMENT SYSTEM,

Plaintiff,

v.

FRANKLIN TEMPLETON INVESTOR  
SERVICES, LLC.,  
FRANKLIN/TEMPLETON  
DISTRIBUTORS, INC., TEMPLETON  
INSTITUTIONAL FUNDS, INC. AND DOES  
1 THROUGH 50,

Defendants.

Case No. 3:17-cv-01784-JST

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DATE TO RE-FILE  
MOTION TO DISMISS IN ORDER TO  
FINALIZE PENDING SETTLEMENT**

Judge: Hon. Jon S. Tigar  
Courtroom: 9, 19<sup>th</sup> Floor

1 WHEREAS, on April 18, 2017, the above-captioned action was assigned to United States  
2 District Judge Jon S. Tigar. ECF 15;

3 WHEREAS, by Stipulation filed on April 18, 2017, the parties requested that the Court  
4 extend Defendants' time to re-file their motion to dismiss the Complaint ("the Motion"),  
5 previously filed before Magistrate Judge Joseph C. Spero, in order to facilitate the parties'  
6 settlement discussions;

7 WHEREAS, by Order dated April 18, 2017, this Court extended the time for the parties to  
8 submit a schedule for re-filing the Motion and for briefing thereon to April 26;

9 WHEREAS, the parties have now reached a settlement-in-principle to resolve fully and  
10 dismiss with prejudice this action and wish to have time to complete the settlement documentation  
11 and to perform the terms of such settlement;

12 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the  
13 respective parties hereto, subject to the approval of the Court, that:

14 The parties shall have an additional 30 days from April 26, 2017 to May 26 to file a  
15 dismissal with prejudice or, in the event settlement is not finalized, a proposed hearing date and  
16 briefing schedule for the Motion. All other pre-trial dates are off-calendar pending settlement.

17 **SO STIPULATED.**

18  
19 DATED: April 24, 2017

HANSON BRIDGETT LLP

20  
21 By: /s/ Raymond F. Lynch  
22 RAYMOND F. LYNCH  
23 MATTHEW J. PECK  
24 Attorneys for Board of Retirement of the Imperial  
25 County Employees' Retirement System  
26  
27  
28

1 DATED: April 24, 2017

ARNOLD & PORTER KAYE SCHOLER LLP

3 By: /s/ Gilbert R. Serota

4 GILBERT R. SEROTA

5 AMY V. ENDICOTT

6 ALISON C. EPSTEIN

7 Attorneys for Defendants Franklin Templeton

Investor Services, LLC, Franklin/Templeton

Distributors, Inc., and Templeton Institutional

Funds.

9  
10 **~~PROPOSED~~ ORDER**

11 The parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED**  
12 that:

13 1. The parties shall have an additional thirty (30) days from April 26, 2017 to May 26  
14 to file a dismissal with prejudice or, in the event settlement is not finalized, a proposed hearing  
15 date and briefing schedule for the Motion

16 2. All other pre-trial dates are off-calendar pending settlement.

17 **IT IS SO ORDERED.**

18 DATED: April 25, 2017

20   
21 THE HONORABLE JON S. TIGAR  
22 UNITED STATES DISTRICT JUDGE